



US EPA RECORDS CENTER REGION 5



463250

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VIA OVERNIGHT DELIVERY  
Deena Sheppard-Johnson, SR-6J  
Remedial Enforcement Support Section  
U.S. Environmental Protection Agency  
77 West Jackson Blvd.  
Chicago, IL 60604

March 22, 2001

**RECEIVED**  
MAR 27 2001

**SUPERFUND PROGRAM  
MANAGEMENT BRANCH**

Re: The Chemical Recovery Systems Site, Elyria, Ohio  
General Notice of Potential Liability

Dear Ms. Sheppard-Johnson:

I represent Cuyahoga Chemical Company, a company the United States Environmental Protection Agency ("USEPA") has tentatively identified as a potentially responsible party ("PRP") with respect to the above-referenced site. This General Notice of Liability letter is the first notice regarding the site received by Cuyahoga Chemical Company. The purpose of this letter is to respond to the portion of the General Notice Letter requesting an expression of Cuyahoga Chemical Company's willingness to perform or finance the various and numerous activities described in the General Notice Letter.

You should be aware that Cuyahoga Chemical Company sold all of its assets on December 31, 1998, and its activities since that time have been principally devoted to wrapping up the affairs of the company. There is little in the way of existing records, and virtually no financial resources available for the type of undertaking you have outlined, even assuming Cuyahoga Chemical Company were determined to be a PRP. Nonetheless, Cuyahoga Chemical Company intends to conduct an appropriate investigation in order to comply with the information request.

Cuyahoga Chemical Company is, theoretically at least, willing to participate in the various and numerous activities described in your letter, but only if it both determines that it has legal liability for the site and it has available financial resources to do so. Cuyahoga Chemical Company has not yet determined that it generated or transported any hazardous substances to the Site, and its preliminary inquiries suggest that it did not. Pursuant to the Information Request portion of the General Notice Letter, Cuyahoga Chemical Company has commenced an internal investigation to determine whether, in fact, it has any connection with this site whatsoever.

Deena Sheppard-Johnson  
March 22, 2001  
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The General Notice Letter states that the USEPA has "received information that [Cuyahoga Chemical Company] may have owned or operated or generated or transported hazardous substances that were disposed of at the Site." Please provide me with any and all information you have received that pertains to Cuyahoga Chemical Company. The information will assist us in directing the course of our investigation, perhaps into areas that would otherwise be overlooked.

You may direct further inquiries or communications regarding this matter to the undersigned at:

Keven Drummond Eiber  
Brouse McDowell  
1001 Lakeside Avenue, Suite 1600  
Cleveland, Ohio 44114  
(216) 830-6830 main phone  
(216) 830-6816 direct phone  
(216) 830-6807 fax  
keiber@brouse.com

Very truly yours,

A handwritten signature in cursive script, appearing to read "Keven Eiber".

Keven Drummond Eiber

cc: Patrick McIntyre  
Karen Walter

From: GAIL ZEHNDER (216)830-6830  
BROUSE MCDOWELL  
1001 LAKESIDE AVENUE, 16TH FLOOR

SHIPPER'S FEDEX ACCOUNT #



CLEVELAND, OH, 44114

To: Deena Sheppard-Johnson, Sr-6J (312)886-7048  
US EPA Remedial Enforcements  
77 West Jackson

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